

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AVALON HOLDINGS CORP.,

Plaintiff,

v.

GUY GENTILE and
MINTBROKER INTERNATIONAL, LTD.

Defendants.

No. 18-Civ-7291-VSB

(ECF)

Related to:

NEW CONCEPT ENERGY, INC.

Plaintiff,

v.

GUY GENTILE and
MINTBROKER INTERNATIONAL, LTD.

Defendants.

No. 18-Civ. 8896-VSB

STIPULATION AND ORDER FOR EXTENSION OF TIME

This Stipulation and Order is entered into by and between Plaintiff Avalon Holdings Corp., and Defendants Guy Gentile and MintBroker International, Ltd., through their respective undersigned counsel:

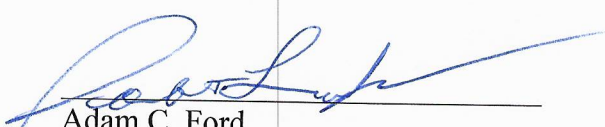
1. Defendants hereby waive service of process pursuant to Rule 4 of the Federal Rules of Civil Procedure of the First Amended Complaint ("FAC") filed in this action on September 28, 2018 (Dkt. No. 19).

2. Defendants shall have until December 27, 2018, to answer, move to dismiss, or otherwise respond to the FAC.

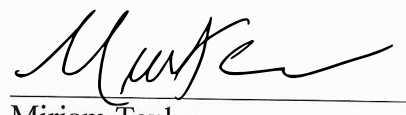
3. The parties agree that efficiency warrants adjudication of this case as “related to” *New Concept Energy, Inc. v. Gentile*, No. 1:18-cv-8896, as asserted in the Related Case Statement filed by Plaintiff at Dkt. No. 3 in the *New Concept* case.

4. This Stipulation shall not be deemed a waiver of any defenses that Defendants may assert, including, but not limited to, any motion pursuant to Rule 12 of the Federal Rules of Civil Procedure.

Dated: October 5, 2018


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Attorneys for Plaintiff Avalon Holdings Corp.

SO ORDERED:

DATED: _____

Hon. Vernon S. Broderick, U.S.D.J.